

Valencia v. Live Lion Security LLC
No. 21 Civ. 448 (PK)

EXHIBIT A

Class Action Fairness Act Notice

Affirmation of Louis Pechman in Support of Motion
for Preliminary Settlement Approval

[INSERT HEADING]

February , 2022

VIA U.S. FIRST CLASS MAIL

Honorable Merrick B. Garland
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Re: *Valencia v. Live Lion Security LLC*, 21 Civ. 448 (PK)
Notice Pursuant to 28 U.S.C. § 1715

Dear Attorney General Garland:

Defendants Live Lion LLC, Benjamin Mehrel, and Joseph Jacobowitz (collectively, “Defendants”) hereby provide this Notice of a Proposed Class and Collective Action Settlement in the above-referenced matter pursuant to the Class Action Fairness Act of 2005 (“CAFA”), 28 U.S.C. § 1715.

In accordance with their obligations under CAFA, Defendants enclose a thumb drive containing the following:

(1) The Complaint and any materials filed with the Complaint.

Plaintiff’s Complaint can be found on the enclosed thumb drive as “Exhibit 1 – Collective and Class Action Complaint.”

(2) Notice of any scheduled judicial hearing in the class action.

The Court has not yet scheduled a fairness hearing regarding the settlement. Once the Court sets a hearing date, such date(s) can be found on-line at Pacer using the following information:

- a) Visit the Court’s Electronic Document Filing System through PACER at <https://pacer.login.uscourts.gov/cslogin/login.jsf?pscCourtId=NYEDC&apurl=https://ecf.nyed.uscourts.gov/cgi-bin/showpage.pl?16;>
- b) input login information and password;
- c) click “I understand that, if I file, I must comply with the redaction rules. I have read this notice.”
- d) click on “Query” and input the civil case number 1:21-cv-448, then click “Run Query” at the bottom;

- e) click on the link "Docket Report" or "History/Documents," then click "Run Report" or "Run Query."

(3) Any proposed or final notification to class members.

The proposed Notice of Class and Collective Action Settlement as submitted to the Court can be found on the enclosed thumb drive as "Exhibit 2 – Notice of Class and Collective Action Settlement." Exhibit 2 includes Members' rights to seek exclusion from the proposed class action settlement.

(4) Any proposed or final class action settlement.

The Settlement Stipulation entered into by the parties and as submitted to the Court can be found on the enclosed thumb drive as "Exhibit 3 – Joint Stipulation of Class and Collective Settlement and Release." There are no other agreements contemporaneously made between Class Counsel and Counsel for Defendants.

(5) A final judgment or notice of dismissal.

The Court has not yet entered a final judgment in this matter. Upon entry, a copy of the Final Order and Judgment will be available through PACER and can be accessed online by following the same steps set forth in (1) above.

(6) Names of class members who reside in each state and the estimated proportionate share of the claims of such members to the entire settlement.

"Exhibit 4" on the enclosed thumb drive is a list of the names of class members believed to be residing in each state who are eligible to receive settlement proceeds. Each class member's distribution of the total settlement amount is set forth next to his or her name.

"Exhibit 5" on the enclosed thumb drive is the estimated proportionate distribution of settlement proceeds by state. The Settlement Administrator will distribute these proceeds in accordance with the Joint Stipulation of Class and Collective Settlement and Release.

(7) Any written judicial opinion relating to the materials described in sections (3) through (5).

The Court has not yet entered any written judicial opinion(s) relating to the materials described in paragraphs (3) to (6) above. In the future, any written judicial opinions can be found by following the steps detailed in Section 1 above.

Attorney General Garland
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If you have questions about this notice, the lawsuit, or the enclosed materials, please contact me.

Respectfully submitted,

Chaim Book